Docket No.: 067234-0038

JPW AF
1634

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of

Customer Number: 41552

CHEE, Mark et al.

Confirmation Number: 9821

Serial No.: 09/425,633

Group Art Unit: 1634

Filed: October 22, 1999

Examiner: FORMAN, Betty J.

For: SEQUENCE DETERMINATION OF NUCLEIC ACIDS USING ARRAYS WITH MICROSPHERES

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Carrie E. Casey

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF APPEALS

Mail Stop AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Applicant(s) hereby appeal(s) to the Board of Appeals from the decision dated January 30,

2004 of the Primary Examiner finally rejecting claims 23-26, 29-31, 42-44, 46, 48 and 50-52.

· Appeal Fee:

\$<u>165.00</u>

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Respectfully submitted,

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Date: July 30, 2004